

PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and (d) and 39)

Applicant's or agent's file reference	IMPORTANT DECLARATION	Date of mailing (<i>day/month/year</i>)
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority Date (<i>day/month/year</i>)
International Patent Classification (IPC) or both national classification and IPC		
Applicant		

This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below.

1. ☐ The subject matter of the international application relates to:
 - a. ☐ scientific theories
 - b. ☐ mathematical theories
 - c. ☐ plant varieties
 - d. ☐ animal varieties
 - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes
 - f. ☐ schemes, rules or methods of doing business
 - g. ☐ schemes, rules or methods of performing purely mental acts
 - h. ☐ schemes, rules or methods of playing games
 - i. ☐ methods for treatment of the human body by surgery or therapy
 - j. ☐ methods for treatment of the animal body by surgery or therapy
 - k. ☐ diagnostic methods practised on the human or animal body
 - l. ☐ mere presentations of information
 - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art
2. ☐ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

☐ the description
 ☐ the claims
 ☐ the drawings
3. ☐ A meaningful search could not be carried out without the sequence listing; the applicant did not, within the prescribed time limit:

☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).
4. ☐ A meaningful search could not be carried out without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.
5. Further comments:

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

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PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13^{ter}.1(c) and (d) and 39)

Applicant's or agent's file reference PD040028	IMPORTANT DECLARATION	Date of mailing(day/month/year) 18/07/2006
International application No. PCT/EP2005/002070	International filing date(day/month/year) 26/02/2005	(Earliest) Priority date(day/month/year) 09/03/2004
International Patent Classification (IPC) or both national classification and IPC H03M13/41		
Applicant THOMSON LICENSING		


This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below

1. ☐ The subject matter of the international application relates to:
 - a. ☐ scientific theories.
 - b. ☐ mathematical theories
 - c. ☐ plant varieties.
 - d. ☐ animal varieties.
 - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. ☐ schemes, rules or methods of doing business.
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 - k. ☐ diagnostic methods practised on the human or animal body.
 - l. ☐ mere presentations of information.
 - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.
2. ☒ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

☐ the description
☒ the claims
☐ the drawings
3. ☐ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished or does not comply with the standard.
 ☐ the computer readable form has not been furnished or does not comply with the standard.
4. ☐ The failure of the tables related to the nucleotide and/or amino acid sequence listing to comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished.
 ☐ the computer readable form has not been furnished or does not comply with the technical requirements.
5. Further comments: see further information

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Leila Moussaoui
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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

A meaningful search with regard to claims 1 and 2 and 7, 12 is not possible.

1. Claims 1 and 2 define a scaling of one or more data paths in an adaptive equalizer in case one or more coefficients run out of their intended data range. However, scaling only some of the coefficients would render the equalizer useless; equivalently to changing one of the coefficients which would distort the equalizing capabilities. In this respect, the description does not provide further information how the Applicant intends to implement this idea. The description on page 11 states that scaling is applied to 'the respective coefficients' without even defining which coefficients are meant, i.e. the application fails at disclosing which coefficients would have to be scaled. Prior art shows that all filter coefficients are scaled in order to avoid overflow. A comparison with prior art is therefore impossible. Moreover, the crucial parameter *c_vol* (Volterra coefficient) which triggers the scaling operation is not defined. Claim 3 defines obtaining phase information by comparing the highest absolute coefficient value with its number. The description does not provide hints which phase information is obtained, the phase of the equalized signal? Additionally, it is unclear how phase information of the assumingly equalized signal could possibly be obtained in this manner. Consequently, a search for prior art is impossible.

2. Independent claim 7 defines an arrangement for adaptive bit recovery which further includes a state violation checker. The claim neither defines the states nor the kind of violations that could appear. The description hereto states that the state violation checker monitors the allowed state. If only allowed states are monitored, how can then be possible state violations be detected? Furthermore, apparently the monitoring is done by help of a look-up table. However, the contents of the look-up table are not disclosed in the application. Thus, the reasons and natures for state violations is not clear. It is impossible to reasonably compare this subject-matter with prior art. Moreover, a non-unity between claims 1 and 7 is evident.

3. The same observation applies to claim 12.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.